

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

Case No. 11-00104-01-CR-W-GAF

JUAN CARLOS CHIRINOS,)

Defendant.)

ORDER

Now pending before the Court is Defendant's Motion to Suppress the Custodial Statement Taken From Him on June 28, 2011 (Doc. #18). Defendant asserts that he was never adequately informed of his *Miranda* rights. Defendant further argues that he believed he had no option other than to speak to the agents because of the coercive nature of the interview.

United States Magistrate Judge Sarah W. Hays conducted an evidentiary hearing on July 26, 2011, and issued her Report and Recommendation (Doc. #28) on August 23, 2011.

Upon careful and independent review of the pending motion, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge Sarah W. Hays.

Accordingly, it is hereby ORDERED that Defendant's Motion to Suppress the Custodial Statement Taken From Him on June 28, 2011 (Doc. #18) is OVERRULED and DENIED.

SO ORDERED.

s/ Gary A. Fenner
Gary A. Fenner, Judge
United States District Court

DATED: September 12, 2011